



PLANNING AND ZONING BOARD MEETING AGENDA

Tuesday, January 24, 2023
7:00 PM

THE PLANNING AND ZONING BOARD SHALL HOLD ITS REGULAR MEETING IN THE COUNCIL CHAMBER IN THE CITY HALL, LOCATED AT 121 S. MERIDIAN AVE., BEGINNING AT 7:00 P.M. (MEETING WILL ALSO BE BROADCASTED ON CITY'S YOUTUBE CHANNEL AND COX PUBLIC ACCESS CHANNEL 7)

A. CALL TO ORDER THE PLANNING AND ZONING BOARD

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

<input type="checkbox"/> Gary Janzen	<input type="checkbox"/> Rick Shellenbarger	<input type="checkbox"/> Toby Meadows
<input type="checkbox"/> Paul Spranger	<input type="checkbox"/> Scot Phillips	
<input type="checkbox"/> Brian Shelton	<input type="checkbox"/> Steve Conway	

D. SET/AMEND AGENDA

Motion made by (______). Seconded by (______). For ____ Against ____

E. APPROVAL OF DRAFT MINUTES

August 23, 2022 DRAFT meeting minutes

Motion made by (______). Seconded by (______). For ____ Against ____

F. COMMUNICATIONS

G. PUBLIC HEARINGS BEFORE THE PLANNING AND ZONING BOARD

1. Review of RZ-2023-01, application of Jose Marquez, pursuant to City Code 17.11, who is petitioning for a rezoning of land that is currently zoned RR-1, which is the City's designation for a suburban residential district, to R-1B, which is the City's designation for a single-family residential district. The property is known as the Arbor Valley subdivision and is located north of Ford Street and west of Craig Street, Valley Center, KS 67147.

- Chairperson opens hearing for comments from the public: TIME ____
- Chairperson closes public hearing: TIME ____

RECOMMENDED MOTION: Based on the City Staff recommendations, public comments, and discussion by the Planning and Zoning Board, I _____ make a motion to (**approve**, **deny**, or **table**) RZ-2023-01. Seconded by _____. For ____ Against ____

2. Review of RZ-2023-02, application of Jose Marquez, pursuant to City Code 17.11, who is petitioning for a rezoning of land that is currently zoned RR-1, which is the City's designation for a suburban residential district, to R-1B, which is the City's

designations for a single-family residential district. The property is known as the Marquez Acres subdivision and is located north of Ford Street and west of 2850 E. Ford Street, Valley Center, KS 67147.

- Chairperson opens hearing for comments from the public: TIME_____
- Chairperson closes public hearing: TIME_____

RECOMMENDED MOTION: Based on the City Staff recommendations, public comments, and discussion by the Planning and Zoning Board, I _____ make a motion to (**approve**, **deny**, or **table**) RZ-2023-02. Seconded by _____ For _____ Against _____

H. OLD/UNFINISHED BUSINESS

I. NEW BUSINESS

J. STAFF REPORTS

K. ITEMS BY PLANNING AND ZONING BOARD MEMBERS:

<input type="checkbox"/> Gary Janzen	<input type="checkbox"/> Rick Shellenbarger	<input type="checkbox"/> Toby Meadows
<input type="checkbox"/> Paul Spranger	<input type="checkbox"/> Scot Phillips	
<input type="checkbox"/> Brian Shelton	<input type="checkbox"/> Steve Conway	

L. ADJOURNMENT OF THE PLANNING AND ZONING BOARD

Motion made by _____. Seconded by _____. For _____ Against _____

Note to Planning and Zoning Board Members: If you are unable to attend this meeting, please contact Ryan Shrack (316-755-7320) prior to the meeting.

All items listed on this agenda are potential action items unless otherwise noted. The agenda may be modified or changed at the meeting without prior notice. At anytime during the regular Planning and Zoning Board meeting, the Planning and Zoning Board may meet in executive session for consultation concerning cases to be deliberated. This is an open meeting, open to the public, subject to the Kansas Open Meetings Act (KOMA). The City of Valley Center is committed to providing reasonable accommodations for persons with disabilities upon request of the individual. Individuals with disabilities requiring an accommodation to attend the meeting should contact the Community Development Department in a timely manner, at communitydevelopment@valleycenterks.org or by phone at (316)755-7320. For additional information on any item on the agenda, please visit www.valleycenterks.org or call (316) 755-7320.

PLANNING AND ZONING BOARD MEETING MINUTES
CITY OF VALLEY CENTER, KANSAS

Tuesday, August 23, 2022, 7:00 P.M.

CALL TO ORDER: Vice Chairperson Paul Spranger called the meeting to order at 7:00 P.M. with the following members present: Brian Shelton, Scot Phillips, and Steve Conway (via conference call).

Members Absent: Gary Janzen, Rick Shellenbarger, and Toby Meadows

City Staff Present: Brent Clark, Ryan Shrack, Brittney Ortega, and Barry Smith

Audience: Jake Vasa, Daniel Burns, and Amelia Rice

AGENDA: A motion was made by Vice Chairperson Spranger and seconded by Board Member Shelton to set the agenda. Motion passed unanimously.

APPROVAL OF DRAFT MINUTES: Vice Chairperson Spranger made a motion to approve the July 26, 2022, meeting minutes. The motion was seconded by Board Member Shelton. Motion passed unanimously.

COMMUNICATIONS: None

PUBLIC HEARINGS BEFORE THE PLANNING AND ZONING BOARD:

1. Review of SD-2022-02, application of the City of Valley Center, KS, pursuant to City Code 16.04., who is petitioning for approval of a final plat for land located south of the intersection of Ford Street and Dexter Avenue (currently unaddressed), Valley Center, KS 67147.

Vice Chairperson Spranger opened the hearing for comments from the public: 7:04 PM

R. Shrack gave a summary of his report with the board. The city will be selling sections of this property into private ownership for commercial and residential use. Some revisions have been made from the preliminary plat to the final plat. Specifically, the creation of another reserve area. Public notices were published in *The Ark Valley News* and letters sent to the surrounding property owners. There has been no correspondence from the public regarding the preliminary or final plat. City staff is recommending approval. Board Member Shelton inquired about the homes being single family homes or duplexes. R. Shrack responded that there will be no single-family homes. Jake Vasa addressed the board giving examples of the duplexes and carriage homes that will occupy this property along with parking requirements. R. Shrack added that the city is hopeful to see the start of construction before the end of 2022.

Vice Chairperson Spranger closed the hearing for comments from the public: 7:15 PM

Based on the City Staff recommendations, public comments, and discussion by the Planning and Zoning Board, Vice Chairperson Spranger made a motion to approve SD-2022-02. Motion was seconded by Board Member Phillips. The vote was unanimous.

2. Review of RZ-2022-03, application of the City of Valley Center, KS, pursuant to City Code 17.11, who is petitioning for a rezoning of land that is currently zoned

RR-1, which is the City's designation for a suburban residential district, to C-2 and R-4, which is the City's designations for a general business district and high-density multiple-family residential district, respectively. This land is currently unaddressed, but located south of the intersection of Ford Street and Dexter Avenue, Valley Center, KS 67147.

Vice Chairperson Spranger opened the hearing for comments from the public: 7:17PM

R. Shrack gave a brief history on the property. Purchase agreements have been signed between the City of Valley Center and Casado-McKay, for commercial development, as well as Crain Company for residential. These rezonings are necessary to facilitate the selling of those portions of land. R. Shrack assured the board all building and fire codes will be followed. Public notices were published in *The Ark Valley News*, as well as sent out to surrounding property owners. There has been no correspondence from the public regarding this rezoning. City staff is recommending approval. Board Member Shelton inquired about the number of units and the rental price per unit. B. Clark responded that targeted monthly rental amount, at this time, is between \$1,200-\$1,300 plus utilities. Vice Chairperson Spranger inquired about the school district and first responder presence. B. Clark responded that the school district is currently underway with a facilities study exploring potential building growth. Additionally, he assured the board our current VCPD staff is prepared for the residential growth of our city.

Vice Chairperson Spranger closed the hearing for comments from the public: 7:31 PM

Based on the City Staff recommendations, public comments, and discussion by the Planning and Zoning Board, Vice Chairperson Spranger made a motion to approve RZ-2022-03. Motion was seconded by Board Member Phillips. The vote was unanimous.

OLD OR UNFINISHED BUSINESS: None

NEW BUSINESS: City of Valley Center CIP Presentation by Assistant City Administrator Barry Smith. A draft of the 2023-2032 Valley Center CIP can be found on the city's website. B. Smith shared an in-depth presentation on the new CIP and answered questions from the board members. A vote was conducted to approve the new CIP. Vice Chairperson Spranger made a motion to approve the 2023-2032 Valley Center CIP. Motion was seconded by Board Member Phillips. The vote was unanimous.

STAFF REPORTS: None

ITEMS BY PLANNING AND ZONING BOARD MEMBERS:

Gary Janzen-absent

Paul Spranger-none

Brian Shelton-none

Rick Shellenbarger-absent

Scot Phillips-none

Steve Conway-none

Toby Meadows-absent

ADJOURNMENT OF THE PLANNING AND ZONING BOARD MEETING: At 7:47

P.M., a motion was made by Vice Chairperson Spranger to adjourn and seconded by Board Member Phillips. Vote was unanimous and the meeting was adjourned.

Respectfully submitted,

/s/ Ryan Shrack, Community Development Director

Gary Janzen, Chairperson



Date: January 18, 2023

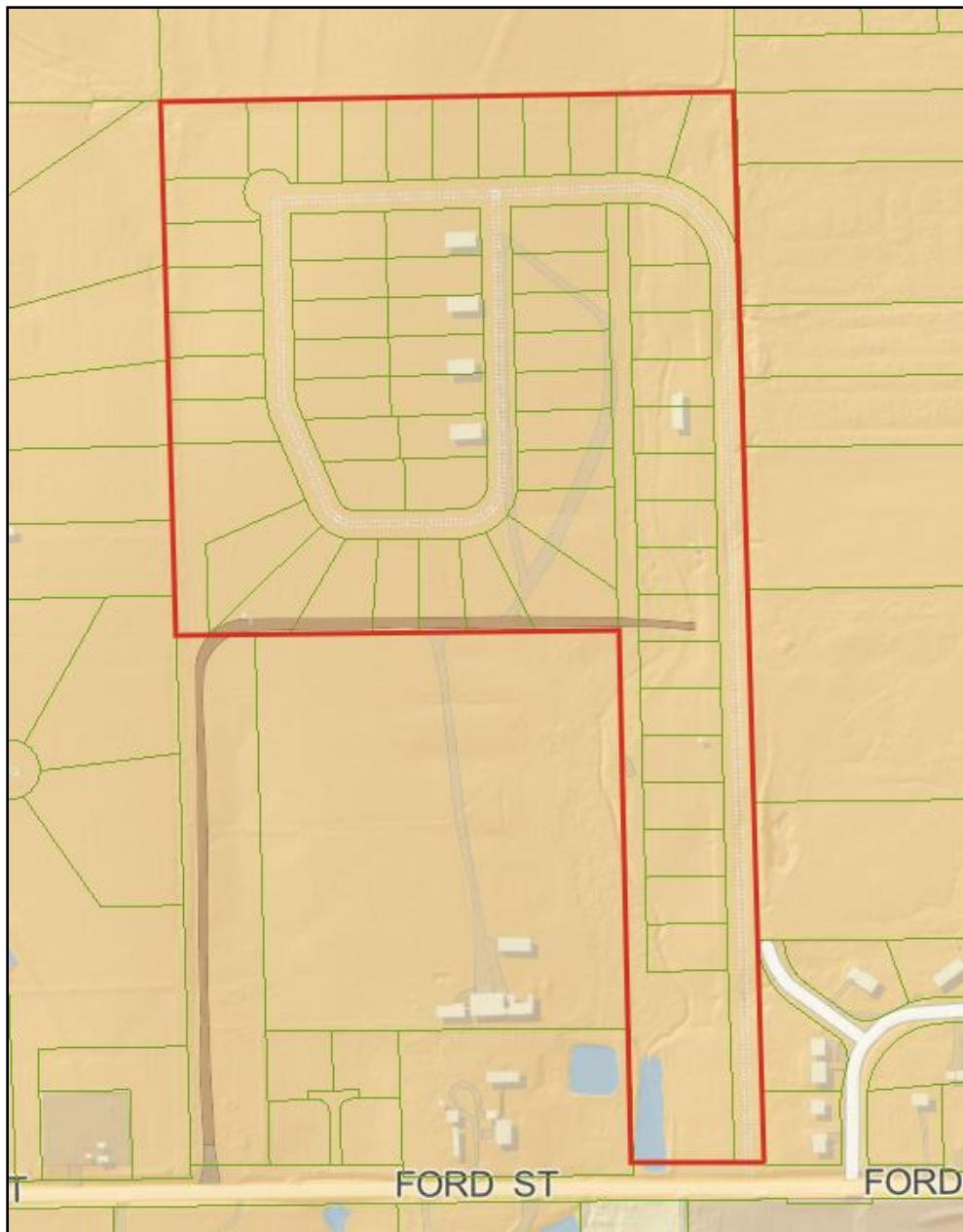
Present Zoning: RR-1 (Suburban Residential District)

Proposed Zoning: R-1B (Single-Family Residential District)

Rezoning Application Case Number: RZ-2023-01

Applicant: Jose Marquez

Property Address: Currently unaddressed, but located north of Ford Street and west of Craig Street, Valley Center, KS 67147 (outlined in red below)



Applicants' Reasons for Rezoning: The applicant is requesting a rezoning from RR-1 to R-1B to allow for additional buildable space on each of the lots in the subject area. The homes that will be built in this subdivision, as previously approved by the City of Valley Center, will use private advanced wastewater systems. These systems require a large amount of land to be reserved for the lateral fields and nothing can be built over this dedicated space. By changing the zoning from RR-1 to R-1B, this will reduce the established building setbacks and make it possible for future homeowners to have the option to build small accessory structures, pools, etc. on the lots and still have the necessary dedicated open space for the wastewater systems.

Review Criteria for a Zoning Amendment per 17.11.01.H (criteria in *italics*)

- 1. What is the character of the subject property and the surrounding neighborhood in relation to existing uses and their condition?*

The subject property consists of just over 60 parcels. These lots are all vacant, except one, and are currently being prepared to be developed for single-family homes to be built on them. This property is located in a mixed-use neighborhood. There are properties used for agricultural uses and single-family residential uses in the surrounding area, with various commercial buildings/uses located to the east of this property.

- 2. What is the current zoning of the subject property and that of the surrounding neighborhood in relationship to the requested change?*

The current zoning of the subject property is RR-1 (Suburban Residential District). The surrounding zoning and land uses are as follows:

- North: A-1 (Agricultural District)
- South: RR-1 (Suburban Residential District)
- East: RR-1 (Suburban Residential District)/I (Industrial District)
- West: RR-1 (Suburban Residential District)

- 3. Is the length of time that the subject property has remained undeveloped or vacant as zoned a factor in the consideration?*

No

- 4. Would the request correct an error in the application of these regulations?*

No

- 5. Is the request caused by changed or changing conditions in the area of the subject property and, if so, what is the nature and significance of such changed or changing conditions?*

The rezoning request is the direct result of the applicant wanting to ensure that the future homeowners in this subdivision will have the option to build small accessory structures, pools, etc. and still have the required open spaces for the advanced wastewater systems.

- 6. Do adequate sewage disposal and water supply and all other necessary public facilities including street access exist or can they be provided to serve the uses that would be permitted on the subject property?*

Yes, a public water line has just been installed in this subdivision. As states previously, the homes that will be built in this subdivision will utilize private advanced wastewater systems that have been authorized by the City of Valley Center.

- 7. Would the subject property need to be platted or replatted or in lieu of dedications made for rights-of-way, easements, and access control or building setback lines?*

N/A, the subject property has already been platted and does not need to be replatted.

- 8. Would a screening plan be necessary for existing and/or potential uses of the subject property?*

No

9. Is there suitable vacant land or buildings available or not available for development that currently has the same zoning?

Not applicable in this case.

10. If the request is for business or industrial uses, are such uses needed to provide more services or employment opportunities?

N/A

11. Is the subject property suitable for the uses in the current zoning to which it has been restricted?

Yes

12. To what extent would the removal of the restrictions, i.e., the approval of the zoning request detrimentally affect other property in the neighborhood?

The rezoning request will not have a negative impact on the surrounding properties.

13. Would the request be consistent with the purpose of the zoning district classification and the intent and purpose of these regulations?

Yes

14. Is the request in conformance with the Comprehensive Plan and does it further enhance the implementation of the Plan?

Yes

15. What is the nature of the support or opposition of the request?

- City staff supports this rezoning. The standard public notice was published in *The Ark Valley News* and notices were sent out to surrounding property owners. Only one response has been received to date and this individual was not opposed to this rezoning request.
- Other public comments in support or opposition will not be known until the public hearing.

16. Is there any information or are there recommendations on this request available from professional persons or persons with related expertise which would be helpful in its evaluation?

No

17. By comparison, does the relative gain to the public health, safety and general welfare outweigh the loss in value or the hardship imposed upon the applicant by not approving the request?

No

City staff recommends approval of this rezoning application.



Date: January 18, 2023

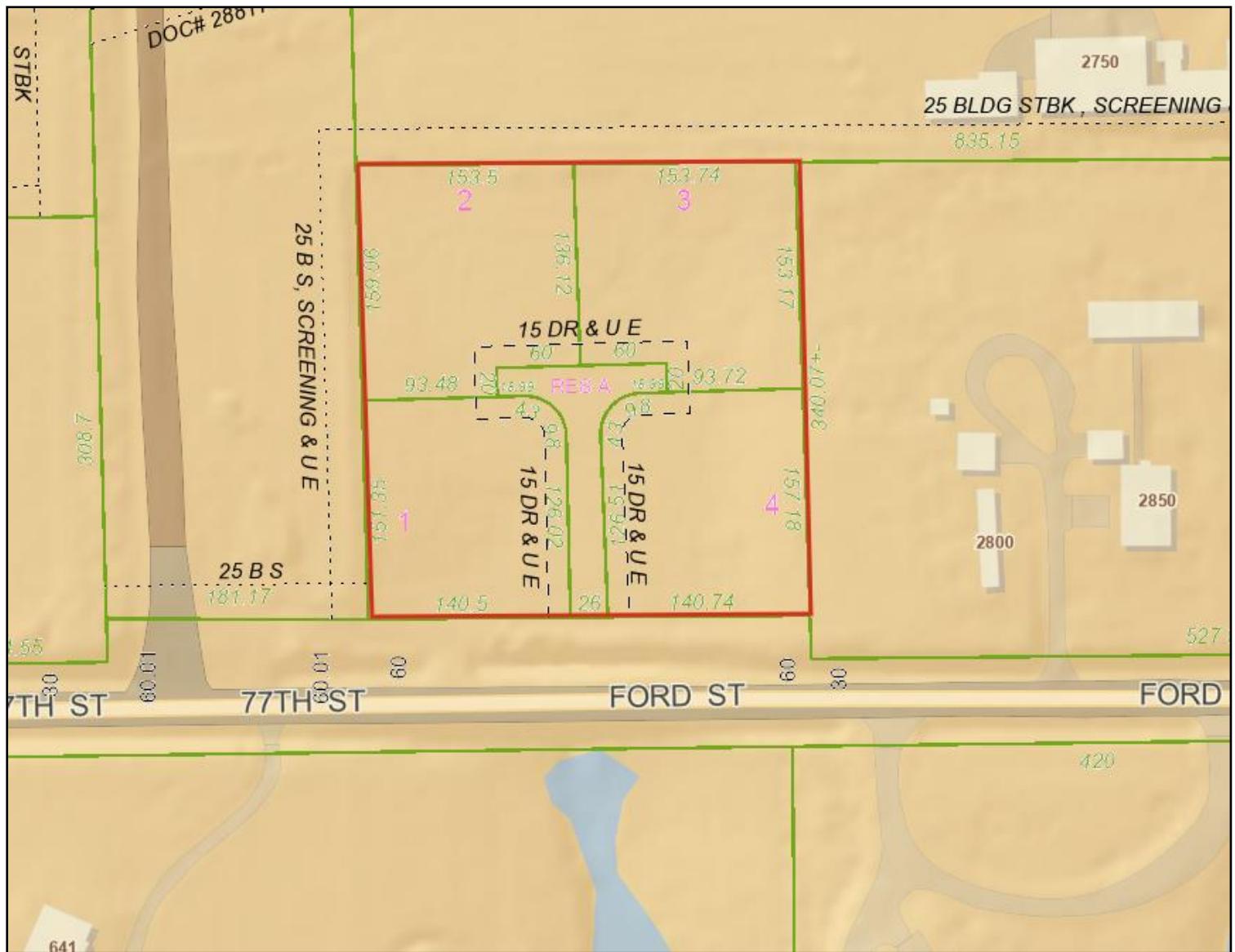
Present Zoning: RR-1 (Suburban Residential District)

Proposed Zoning: R-1B (Single-Family Residential District)

Rezoning Application Case Number: RZ-2023-02

Applicant: Jose Marquez

Property Address: Currently unaddressed, but located west of 2850 E. Ford Street, Valley Center, KS 67147 (outlined in red below)



Applicants' Reasons for Rezoning: The applicant is requesting a rezoning from RR-1 to R-1B to allow for additional buildable space on each of the lots in the subject area. The homes that will be built in this four-lot platted subdivision, as

previously approved by the City of Valley Center, will use private advanced wastewater systems. These systems require a large amount of land to be reserved for the lateral fields and nothing can be built over this dedicated space. By changing the zoning from RR-1 to R-1B, this will reduce the established building setbacks and make it possible for future homeowners to have the option to build small accessory structures, pools, etc. on the lots and still have the necessary dedicated open space for the wastewater systems.

Review Criteria for a Zoning Amendment per 17.11.01.H (criteria in *italics*)

- 1. What is the character of the subject property and the surrounding neighborhood in relation to existing uses and their condition?*

The subject property consists of four parcels. These lots are all vacant and are currently being prepared to be developed for single-family homes to be built on them. This property is located in a mixed-use neighborhood, with surrounding properties being primarily used for agricultural uses and single-family residential uses.

- 2. What is the current zoning of the subject property and that of the surrounding neighborhood in relationship to the requested change?*

The current zoning of the subject property is RR-1 (Suburban Residential District). The surrounding zoning and land uses are as follows:

- North: A-1 (Agricultural District)
- South: RR-1 (Suburban Residential District)
- East: RR-1 (Suburban Residential District)
- West: RR-1 (Suburban Residential District)

- 3. Is the length of time that the subject property has remained undeveloped or vacant as zoned a factor in the consideration?*

No

- 4. Would the request correct an error in the application of these regulations?*

No

- 5. Is the request caused by changed or changing conditions in the area of the subject property and, if so, what is the nature and significance of such changed or changing conditions?*

The rezoning request is the direct result of the applicant wanting to ensure that the future homeowners of these four lots will have the option to build small accessory structures, pools, etc. and still have the required open spaces for the advanced wastewater systems.

- 6. Do adequate sewage disposal and water supply and all other necessary public facilities including street access exist or can they be provided to serve the uses that would be permitted on the subject property?*

Yes, a public water line has just been installed along the north side of Ford Street, which the four future homes will tie into when they are built. As stated previously, the homes that will be built on these lots will utilize private advanced wastewater systems that have been authorized by the City of Valley Center.

- 7. Would the subject property need to be platted or replatted or in lieu of dedications made for rights-of-way, easements, and access control or building setback lines?*

N/A, the subject property has already been platted and does not need to be replatted.

- 8. Would a screening plan be necessary for existing and/or potential uses of the subject property?*

No

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Not applicable in this case.

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Yes

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The rezoning request will not have a negative impact on the surrounding properties.

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Yes

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15. What is the nature of the support or opposition of the request?

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No

17. By comparison, does the relative gain to the public health, safety and general welfare outweigh the loss in value or the hardship imposed upon the applicant by not approving the request?

No

City staff recommends approval of this rezoning application.